

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 08-cr-12-bbc

STEVEN M. SKOIEN,

Defendant.

DEFENDANT'S MOTION TO POSTPONE REPORT DATE

The Defendant, Steven Skoien, by counsel, respectfully moves the Court to postpone the date by which he is required to report to the Bureau of Prisons to begin serving his sentence. For the reasons that follow, Skoien requests that his report date be postponed until March 15, 2009.

1. Skoien was convicted, based upon his conditional guilty plea, of possessing a firearm after having been convicted of a misdemeanor crime of domestic violence. On October 24, 2008, the Court sentenced him to 24 months of imprisonment, but suspended the execution of that sentence until January 15, 2009. The Court indicated at the sentencing hearing that it was going to make Skoien's report date December 1, 2008, but extended it until January 15, 2009 to allow Skoien as much time as possible to have surgery on his torn rotator cuff. *See* Sentencing Transcript at 17.

2. Skoien has been diligently trying to make arrangements for his shoulder surgery. Because his shoulder injury occurred on the job, he is required to go through Worker's Compensation to get it repaired. He is therefore, unfortunately, at the mercy of their schedule. As reflected in the attached printout from Skoien's Worker's Comp patient history report, the first available appointment with the appropriate specialist is not until January 15, 2009. As reflected in the attachment, since injuring his shoulder on September 9, 2008, Skoien has had 24 doctor's visits trying to resolve the problem.

3. Since making his first appearance in this Court on February 14, 2008, Skoien has been released on conditions and has consistently obeyed every one of those conditions. As found by the Court at sentencing, Skoien is "neither a flight risk nor a danger to the community." Sentencing Transcript at 17.

For the foregoing reasons, Skoien respectfully requests the Court to extend his report date until March 15, 2009. Through no fault of Skoien's, the Court's original purpose in allowing voluntary surrender has been frustrated due to scheduling problems with Worker's Comp. This extension would allow that purpose to be fulfilled.

Dated at Madison, Wisconsin December 31, 2008.

Respectfully submitted,
STEVEN M. SKOIEN, *Defendant*

/s/ Michael W. Lieberman
Michael W. Lieberman, Bar #1059034

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CERTIFICATE OF SERVICE

I hereby certify that I caused a true and correct copy of the foregoing to be served via the Court's CM/ECF system to Assistant United States Attorney Timothy O'Shea, this 31st day of December, 2008.

/s/ Michael W. Lieberman
Michael W. Lieberman

